

CITY COUNCIL, CITY OF LODI
CITY HALL COUNCIL CHAMBERS
AUGUST 16, 1961

This regular meeting of the City Council of the City of Lodi held beginning at 8:00 p.m. of Wednesday, August 16, 1961. Councilmen Brown, Katzakian, Mitchell, Ullmann and Culbertson (Mayor) present; none absent.

Also present: City Manager Graves, Admin. Asst. Carlton, Planning Director Rodgers and City Attorney Mullen.

MINUTES Minutes of August 2, 1961 were approved as written and mailed on motion of Councilman Katzakian, Brown second.

PUBLIC HEARINGS

REZONING TO R-3 ON HAM LN. S. OF LODI AVE. Notice thereof having been published in accordance with law, Mayor Culbertson called for public hearing on the proposed rezoning of a two-acre parcel of land on the east side of Ham Lane projected south from Lodi Avenue from the R-1 one-family residential zone to the R-3 limited multiple-family residential zone. There were no written protests. As requested at the previous Council meeting, the City Manager had talked to Mr. Thomas Doyle about dedication of a portion of his land which is needed for the opening of Ham Lane south of Lodi Avenue; Mr. Doyle would be willing to sell to the City the needed right of way. The City Manager stated that consideration of the zoning request should not be influenced by the lack of public access. The City Attorney said that the City would have a problem giving police and fire protection to this area if it were developed without having public access and suggested that the City should proceed with obtaining the right of way by condemnation if necessary. Councilman Katzakian stated that there were two issues to consider: (1) rezoning of the property and (2) access when the property is developed. He suggested that the zoning question be resolved at this time and that the problem of opening Ham Lane be considered later. Mrs. D.S. Bonebrake, 323 S. Sunset Drive, wanted to know what type of buildings would be put on the property if it were rezoned. She was told that the City had no jurisdiction over the type of building as long as it complied with the Building Code and State laws. She was informed of the type of occupancy permitted in the R-3 zone. There were no other questions from the audience. The City Manager read the recommendation of the Planning Commission that this property be rezoned for R-3 use. On motion of Councilman Brown, Mitchell second, the Council introduced Ordinance No. 700 rezoning certain property in the 500 block of Ham Lane extended from R-1 to R-3 by reading of title only and waiving reading of the ordinance in full.

REZONING NE
CORNER OF HAM
& LOCKEFORD
TO C-1

ORD. NO. 701
INTRODUCED

Notice thereof having been published in accordance with law, the Mayor opened the public hearing on the proposed rezoning of property located at the northeast corner of Ham Lane and Lockeford Street from the R-2 one-family residential zone to the C-1 neighborhood commercial zone. There were no protests, written or oral. The City Manager read the report from the Planning Commission recommending the rezoning. Mr. Robert Rinn introduced Mr. Wayne Richmond, representing Pacific Development Company, who showed the Council plans for the development of the property. The Mayor mentioned that property owners in the neighborhood had been notified of the proposed rezoning and no objections had been received. Planning Director Rodgers stated that proper screening adjacent to the residential area had been required by the Planning Commission and that a bond had been posted to cover costs. On motion of Councilman Katzakian, Ullmann seconded, the Council introduced Ordinance No. 701 rezoning property on the northeast corner of Ham and Lockeford to C-1 by reading of title only and waiving reading of the ordinance in full.

E.E. VEIL
TRAILER PARK
USE PERMIT

The hearing on the appeal of E.E. Veil for a use permit to establish a one-unit trailer park at 530 Eden Street having been continued from the meeting of August 2, the City Manager read the report from the Planning Commission which had reconsidered Mr. Veil's request. The Planning Commission now recommended that a use permit be granted for a period of six months. During this time the Planning Commission expects to complete its study of a revised zoning ordinance which will include certain regulations affecting trailer parks. The use permit would then be reviewed at the end of the six months to determine if it complied with the new regulations or if its use should be discontinued. Mr. Veil said he appreciated the consideration given, but felt that six months was too short a time in view of the cost of hooking up utilities to the trailer. Councilman Katzakian suggested that the use permit be extended to one year since the Planning Commission might not have its revision of the zoning ordinance completed in six months. Councilman Mitchell moved that Mr. Veil be given a use permit for one year to establish a one-unit trailer park at 530 Eden Street subject to all other conditions recommended by the Planning Commission. The motion was seconded by Councilman Katzakian and carried.

PLANNING COMMISSION

The City Manager reported the following actions of the Planning Commission:

1. Approved the modification in the use permit for the Mormon Church which is to be located at the southwest corner of Ham Lane and Daisy Avenue in the R-1 zone. This

modification reduces the required setback on the north property line from fifty feet to twenty feet since Daisy Avenue now provides the desired separation of the Church from nearby residences.

2. Denied the request of Mr. H.E. Looser for a change in the list of authorized uses of the C-1 neighborhood commercial zone to permit the operation of a paint contracting and storage shop in the C-1 zone at 407 East Vine Street.

COMMUNICATIONS

J.L. WINCHESTER. Letter from J.L. Winchester, painting contractor, appealing the decision of the Planning Commission in denying the request made on his behalf by H.E. Looser for a change in the C-1 commercial use list to permit a paint contracting and storage shop at 407 East Vine Street. The Planning Director reported that the Planning Commission had denied the request because of the effect of such a change on all C-1 zone areas and on the purpose of the C-1 neighborhood commercial zone; it would be eliminating the distinction between the C-1 and C-2 commercial zones to the detriment of many neighborhood commercial areas. Also, to rezone the property to C-2 would be spot zoning and undesirable. Mr. Winchester said that the building he would construct would improve the property and would be used mainly as an office and to store equipment. Mr. Looser asked what this property could be used for. He said that because of the adjacent cleaning establishment, it is not suitable for living facilities and is a poor location for a retail store. Councilman Brown stated that he was not suggesting a change of use for this property, but that many contractors left their equipment on the streets instead of providing proper storage and something should be done about it. It was pointed out that the type of operation proposed by Mr. Winchester was not a neighborhood type operation; however, there might be some hardship in this case. After further discussion, the Council continued the matter to the next meeting on motion of Councilman Brown, Ullmann second.

NATHAN ADDN.

RES. NO. 2465
ADOPTED

Petition from William Nathan for the annexation of 7.2 acres to be known as the "Nathan Addition" was presented. The boundaries thereof were approved by the County Boundary Commission on August 15, 1961. On motion of Councilman Katzakian, Brown second, the Council adopted Resolution No. 2465, resolution of intention to annex the Nathan Addition and setting public hearing thereon for September 20, 1961.

LOBAUGH ADDN.

RES. NO. 2466
ADOPTED

Petition from K.L. Lobaugh for the annexation of 4.2 acres to be known as the "Lobaugh Addition" was presented. The boundaries thereof were approved by the County Boundary

Commission on July 5, 1961. On motion of Councilman Mitchell, Brown second, the Council adopted Resolution No. 2466, resolution of intention to annex the "Lobaugh Addition" and setting public hearing thereon for September 20, 1961.

KOFU, JAPAN

Letter from Keijiro Takano, Mayor of Kofu, and Kiyoshi Akiyama, Chairman of Kofu Educational Board, thanking the City for the kindness and hospitality shown them during their visit to Lodi.

REPORTS OF THE CITY MANAGER

YODER SEWAGE
REPORT

The City Manager introduced M. Carleton Yoder, consulting engineer, who gave a report on his study of Lodi's sewage and industrial wastes systems, copies of which had previously been given to members of the Council.

CLAIMS

Claims in the amount of \$90,969.59 were approved on motion of Councilman Brown, Ullmann second.

61-62 TAX RATE

RES. NO. 2467
ADOPTED

On motion of Councilman Mitchell, Katzakian second, the Council adopted Resolution No. 2467 setting the tax rate for 1961-62 per \$100 of assessed value as follows:

General Fund	\$ 0.82
Library Fund	0.18
Total	\$ 1.00

MORMON CHURCH
DRIVEWAYS ON
DAISY AVENUE

The City Manager presented a request of the Church of Jesus Christ of the Latter-day Saints for two 25-foot driveways on Daisy Avenue near Ham Lane where a church is to be built. The Department of Public Works recommended that the request be granted. On motion of Councilman Katzakian, Mitchell second, the Council approved the driveways as requested.

DRIVEWAY FOR
APARTMENTS AT
SE COR. OAK &
HUTCHINS STS.

The City Manager then showed a sketch of the property at the southeast corner of Oak and Hutchins Streets on which apartment units are being constructed and for which a 30-foot driveway is being requested on Oak Street. The location of the driveway, if granted, would require the removal of a street light, and the Department of Public Works recommends that the driveway be approved subject to relocation of the street light at the owner's expense. On motion of Councilman Mitchell, Ullmann second, the Council authorized construction of the driveway as requested, subject to relocation of the street light by the property owner.

EASEMENT
ABANDONED IN
LODI INDUST.
PARK

The Director of Public Works and Assistant Superintendent of Utilities recommended in writing that the City abandon a 5-foot easement along the south line of Lots 3 and 4 of Lodi Industrial Park since the easement is not now occupied by the City and the City has no present or prospective future public need for this easement. On motion of Councilman Brown, Katzakian second, the Council adopted an Order vacating the above mentioned easement.

CROSSWALK FOR
SUPER MOLDRES. NO. 2468
ADOPTED

Mr. Graves reported that Super Mold Corporation had requested that a study be made of possible need for a crosswalk on Sacramento Street at Daisy Avenue to protect workers using the newly-installed parking lot at the corner of Daisy and Sacramento Streets. He recommended that such a crosswalk be established even though it would mean the elimination of one parking stall along Sacramento Street. Councilman Mitchell stated that Super Mold should be complimented for having provided off-street parking for its employees and moved the adoption of Resolution No. 2468 establishing a crosswalk on Sacramento Street at Daisy Avenue. The motion was seconded by Councilman Brown and carried.

GARBAGE RATES
INCREASEDORD. NO. 702
INTRODUCED

The City Manager then brought up the request of the Sanitary City Scavenger Company for an increase in domestic garbage rates which had been summarized in the City Manager's letter to members of the Council. He said it was agreed that the profit made by the Company should be sufficient to pay salaries to the working partners and to also provide a return at the rate of 12% for their investment. There was some question as to what would be considered a reasonable salary. Previously, the positions of Office Supervisor and Street Supervisor in the City service had been used as a yardstick in determining the partners' salaries. Mayor Culbertson felt that the partners' salaries should be more than the City positions above mentioned because the partners have more responsibilities. Other members of the Council agreed, and it was decided as a matter of policy that the salaries of the Company partners should be determined as being \$100 more than that for the City positions above mentioned because of added responsibilities and lack of fringe benefits which are received by City employees. The City Manager stated that there was some difficulty in determining what would be a fair increase in rates because of the fluctuation in the paper salvage market. Currently there is no market for waste paper and the Scavenger Company feels that there will be no improvement. The present rates for domestic garbage are 85¢ for the first can and 40¢ for the second can. The Council was agreed that an increase was due; however, there was considerable discussion as to whether the rates should be raised on the first can only or on both cans. It was finally agreed that the rates should be increased on both cans, and on motion of Councilman Katzakian, Mitchell second, the City Council introduced Ordinance No. 702, amending Section 11-3 of the Code of the City of Lodi by increasing the monthly rate for collection of domestic garbage to \$1.10 for the first container and \$.50 for the second container for service rendered on and after October 1, 1961, by reading of title only and waiving reading of the ordinance in full.

Minutes of August 16, 1961 continued

SALARIES

RES. NO. 2469
ADOPTED

Mr. Graves stated that he was unable to present a recommendation on employee salaries since the data received would require further study, but that he would have a recommendation before the next Council meeting. He suggested that in the event increases were indicated, the Council should state its intention to make any increases retroactive to August 1. On motion of Councilman Katzakian, Mitchell second, the City Council adopted Resolution No. 2469, a resolution of intention that in the event any salary increases were granted in September, they would be retroactive to August 1, 1961.

TRAFFIC AT
SCHOOL-WALNUT
INTERSECTION

Mayor Culbertson said he had been approached about the advisability of having traffic signals at the School-Walnut intersection. It was decided that a study of this intersection should be made.

ORDINANCES

CHIAPPE ADDN.
ORD. NO. 699
ADOPTED

ORDINANCE NO. 699, entitled "AN ORDINANCE APPROVING THE ANNEXATION OF CERTAIN UNINHABITED TERRITORY, DESIGNATED 'CHIAPPE ADDITION' TO THE CITY OF LODI," having been introduced at the regular meeting of August 2, 1961, was brought up for passage on motion of Councilman Katzakian, Brown second. Second reading was omitted after reading by title, and was then passed, adopted and ordered to print by the following vote:

AYES: Councilmen - BROWN, KATZAKIAN, MITCHELL, ULLMANN, and CULBERTSON

NOES: Councilmen - NONE

ABSENT: Councilmen - NONE

There being no further business, the Council adjourned.


ATTEST: BEATRICE GARIBALDI
City Clerk